

19. Misbranding of Sodasal. U. S. v. 18 Bottles and 5 Bottles of Sodasal. Default decree of condemnation and destruction. (F. D. C. No. 294. Sample No. 52441-D.)

The labeling of this product bore false and misleading representations regarding its composition and its medicinal properties as shown below.

On July 17, 1939, the United States attorney for the Western District of Pennsylvania filed a libel against 23 bottles of Sodasal at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about June 20, 1939, by Harry Enkel from Detroit, Mich.; and charging that it was misbranded.

Analysis showed that it consisted essentially of acetophenetidin (approximately 8 grains per fluid ounce), sodium salicylate, a bicarbonate, and small proportions of citrates, sugar, and water.

The article was alleged to be misbranded in that the representation on the bottle label that it was an antacid treatment was false and misleading since it contained, in addition to alkali and sodium salicylate, a material proportion of acetophenetidin; (2) in that the statement in the labeling that the dose should be cut down if the ears ring was false and misleading since it created the impression that the article might be safely consumed unless it caused ringing of the ears, whereas its consumption might be dangerous even though it did not cause ringing of the ears; (3) in that the representations in the circular that it contained no aspirin, no acetanilid, or other blood thinners were false and misleading since it contained acetophenetidin, the consumption of which might result in serious depletion of the white blood cells; (4) in that the representation in the circular that the article contained a U. S. P. dose of salicylates of proven value in rheumatoid suffering was false and misleading since it created the impression that the active ingredients of the article were salicylates, whereas it also contained acetophenetidin; (5) and in that the reference in the circular to "United States Government warnings against these Undertaker Friends—acetanilid, antipyrine, and chloral"; the admonition that labels should be read carefully to ascertain whether news ads claims compare with label statements; and the representations also in the circular that Sodasal Laboratory medicinals were scientifically compounded right in every respect and contained only tested ingredients of unquestionable merit were false and misleading since they created the impression that the article did not contain dangerous drugs, whereas it contained acetophenetidin, a dangerous drug.

Misbranding was alleged further in that the labeling contained representations that it was an antacid treatment; that users claimed that nothing else helped them like Sodasal; that it would bring real comfort from suffering due to rheumatic pains, aching muscles, lumbago, neuritis, simple nonfever, grippy discomfort; that it was of value as an anti-rheumatic anodyne or pain control and soothing diuretic; that it would assure prompt escape from even knife-like pain; that its anti-acid (alkaline) medicinals would flush the kidneys, often doubling the kidney flow, thus expelling much uric acid and other impurities; that its super-pure alkalizers would fight blood acidity; that it contained salicylates of proven value in rheumatoid suffering; that it was an internal treatment for rheumatic, neuritic, and backache pains or lumbago, which representations were false and misleading since the article would not fulfill the promises of benefit thus held out.

On August 11, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

NIPPLE SHIELDS

Nos. 20 to 34, inclusive, of this publication report the seizure and disposition of nipple shields which were made essentially of lead. They were potentially dangerous because lead poisoning might result in infants fed from the breasts of mothers using the device.

20. Misbranding of Dr. Wansbrough's Metallic Nipple Shields. U. S. v. 18 Packages of Dr. Wansbrough's Metallic Nipple Shields. Consent decree of condemnation and destruction. (F. D. C. No. 160. Sample No. 83-D.)

On February 7, 1939, the United States attorney for the District of Colorado filed a libel against 18 packages of the above-named product at Denver, Colo., consigned by Fred Haslam & Co., Inc.; alleging that the article had been shipped in interstate commerce on or about September 13, 1938, from Brooklyn, N. Y.; and charging that it was misbranded.

It was alleged to be misbranded in that it was dangerous to health when used in the dosage or with the frequency prescribed, recommended, and suggested